

The Arrow Public Library: Privacy Rights and Confidentiality Policy

Oksana V. Moshynska

Marshall School of Business, University of Southern California

The Arrow Public Library, Saskatchewan, Canada
Privacy Rights and Confidentiality Policy

Authorization and Approval

Responsibility: Associate Director, Arrow Public Library

Authorization: Director, Arrow Public Library

Approval Date: March 9, 2021 (reviewed annually)

Purpose

The purpose of this *Policy* is to advise the Arrow Public Library's (the "Library") employees and its users on how the Library complies with its obligations under *The Local Authority Freedom of Information and Protection of Privacy Act* (the "Act") to protect the privacy and ensure confidentiality of Personal Information in the possession or under the control of the Library. The *Policy*, supporting the overall Library's mission and vision to preserve and disseminate human knowledge and Canada's heritage, is based on the core principles of the Canadian Federation of Library Associations, *Library and Archives of Canada Act*, and American Library Association's *Code of Ethics* and *The Freedom to Read Statement*.

Principles

The Library, in accordance with the terms and conditions of this *Policy* and the Act, will take reasonable measures to protect and maintain the privacy of any Personal Information in its possession or under its control.

Scope of this policy

This *Policy* applies to all employees of the Library who have access to Personal Information. This *Policy* applies to Personal Information recorded in any format.

Policy**1. Definitions**

In this *Policy*:

- "Act" means *The Local Authority Freedom of Information and Protection of Privacy Act*;
- "Authorized Employee" means an employee whose position and/or duties require access to Personal Information in the possession or under the control of the Library;
- "Confidentiality" means the Library's obligation to keep personal identifiable information about users private;
- "Personal Information" means personal information about an identifiable individual that is recorded in any form, as defined by Section 23 of the Act;

- “Privacy” means the right to read, inquire, think, and create without being observed by others;
- “Third Party” means a person, group, or an organization, other than a person to whom the Personal Information belongs;
- “Library” means the Arrow Public Library.

2. Protection of Privacy

a. Collection of Personal Information

Personal Information will be collected only in the following instances:

- When it is required for the proper administration, services, or general operations of the Library;
- When is authorized by the Government of Canada or the Province of Saskatchewan;
- For the security purposes and conducted by authorized law enforcement in possession of a court order, when, for example, the Library software identifies unauthorized attempts to cause damage to the Library’s website.

At the point when Personal Information is collected, persons will be provided with the reason(s) why the collection is necessary, the purpose for which this information is collected, and about the rights to access such collected information.

Personal Information about a person will be collected directly from that person.

The Library, based on its confidentiality agreements, collects the user information that is directly related to the library’s borrowing and communications services logs, and includes:

- First and last name;
- Home address;
- Home phone number;
- E-mail address;
- Circulation records;
- In-person, chat, text, or phone requests;
- Reserve, recall, hold, and interlibrary loan requests;
- Computer and server logs.

Personal Information that is captured automatically on the Internet includes:

- The date and time when the Library’s website was accessed;
- The IP address of a computer used to access the Library’s website;
- The type of Internet browser and computer operating system used to access the Library;
- The Library’s webpages visited during the connection;
- The user’s website address used to connect to the Library’s website.

The above captured information is not linked to the individual person and helps the Library to determine the number of website visitors, traffic, and the types of technology used to visit the Library. The collected information is not used to track an individual person or record information sought during the Library visit.

The Library visitor's information will not be shared with Third Parties; it will be used by Authorized Employees to respond back with information that was requested by that user.

Cookies used by the Library's website do not collect or submit to Third Parties any Personal Information about the Library users.

The Library uses the Customer Relationship Management for Libraries (LibCRM) platform, to develop long-term relationships with its users. The Library keeps records for seven years after the last interaction with the user.

The Library's website may contain links to other websites. The Library is not responsible for the privacy and confidentiality practices of Third Parties' websites. We recommend users to familiarize themselves with each individual site's privacy and confidentiality policies and guidelines.

The Library does not sell or share identifiable Personal Information with commercial, marketing, or advertising organizations.

b. Confidentiality and Protection of Identifiable Personal Information

The Library employees will take reasonable measures to keep confidential and protect identifiable Personal Information from an unauthorized access, collection, disclosure, retention, or destruction.

Only Authorized Employees will have access to identifiable Personal Information.

Personal Information will be accessed by Authorized Employees only for the purposes outlined in Paragraph 2 (c) and (d) of this *Policy*.

Personal Information will be stored in secure location(s) not accessible to other than Authorized Employees.

Physical copies containing Personal Information will be kept in secured/locked rooms and/or filing cabinets.

Electronic copies containing Personal Information will be in secured/password-protected formats.

The Library will protect the Personal Information by hiding full names of users on self-service "hold" shelves and not sending postcard renewal notices or leaving voice-mail messages.

c. Use of Personal Information

The Library may only use Personal Information for:

- Purpose(s) it was collected;
- Purpose(s) authorized by the Act;
- Other purposes authorized by the person to whom the Personal Information belongs, or someone duly authorized to provide consent on behalf of that person.

d. Disclosure of Personal Information

The Library will only disclose Personal Information to a Third Party or make it available to the general public:

- For the purpose(s) it was collected and authorized;
- For the purpose(s) authorized by the Act, Government of Canada or the Province of Saskatchewan and in response to an executed court order;
- For any other purpose(s) authorized by the person to whom the Personal Information belongs, or someone duly authorized to provide consent on behalf of that person.

e. Access to Personal Information

The Library will ensure all Personal Information in its possession or under its control is accurate for the purpose(s) for which it was collected.

Unless restricted by the Act, Government of Canada, or the Province of Saskatchewan, persons have the right to access their own Personal Information that is in the possession of the Library. Persons may request to correct Personal Information about themselves when it is inaccurate or incomplete. The Library will review these requests and correct information as soon as possible.

f. Retention and Disposal of Personal Information

The Library will retain Personal Information according to the approved retention schedule.

The Library will purge users' Personal Information records after 2 years of inactivity (unless there are borrowed items, fines, or other outstanding activities).

The Library will on a monthly basis purge users' identifiable Personal Information such as surveillance tapes, material circulation, and communication logs.

Personal Information identified as having historical value will be retained permanently and will be disclosed in accordance with the Act.

The Library will keep de-identifiable and aggregated Personal Information for statistical and metrics purposes to help improving the Library's services.

Personal Information, once no longer needed for administrative, operational, legal, or historical reasons, will be destroyed as follows:

- Physical copies will be shredded or incinerated;
- Electronic copies will be deleted using technology ensuring such records could not be recovered.

Responsibilities

Associate Director is the designated person for the purposes of Section 2 (e) of the Act and is authorized to make decisions on behalf of the Library pursuant to this *Policy*.

Non-compliance

In case of non-compliance, the Library may take a legal action that could result in criminal or civil proceedings, or a disciplinary action in accordance with applicable collective agreements or/and laws that could result in immediate termination of employment.

Procedures

The Library may establish guidelines and procedures related to this *Policy* if required.

Contact Person: Associate Director, Arrow Public Library

Email: associate_director@arrow.public.library

Phone: 306-123-4567

References

American Library Association. (2004, June 30). The Freedom to Read Statement.

<http://www.ala.org/advocacy/intfreedom/freedomreadstatement>

American Library Association. (2008, January 22). Code of Ethics of the American Library Association.

<http://www.ala.org/advocacy/sites/ala.org.advocacy/files/content/proethics/codeofethics/Code%20of%20Ethics%20of%20the%20American%20Library%20Association.pdf>

American Library Association. (2017). Privacy and confidentiality policy.

<http://www.ala.org/tools/challengesupport/privacypolicy>

American Library Association. (2017, April). Privacy.

<http://www.ala.org/advocacy/privacy#federal>

American Library Association. (2019, January 29). Library Bill of Rights. ALA.

<http://www.ala.org/advocacy/intfreedom/librarybill>

American Library Association. (2019, June 24). Privacy: An interpretation of the Library Bill of

Rights. <http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/privacy>

Canadian Federation of Library Associations. (n.d.). <https://librarianship.ca/features/cfla/>

LibCRM. (n.d.). SpringShare. <https://springshare.com/libcrm/>

Library and Archives of Canada Act, S.C. 2004, c. 11. (2004). Government of Canada.

<https://laws-lois.justice.gc.ca/PDF/L-7.7.pdf>

The Local Authority Freedom of Information and Protection Privacy Act, L-27. (2018).

Government of Saskatchewan.

<https://pubsaskdev.blob.core.windows.net/pubsask-prod/850/L27-1.pdf>